

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Charles John Guetti,

Civil No. 12-cv-3004 (MJD/SER)

Plaintiff,

v.

Carolyn Colvin,
Commissioner of Social Security,

ORDER

Defendant.

Jennifer G. Mrozik, Esq., Hoglund, Chwialkowski & Mrozik, PLLC, 1781 West County Road B, Roseville, Minnesota 55113, for Plaintiff.

Ana H. Voss and Gregory G. Brooker, Esqs., Office of the United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Defendant.

The above-entitled matter comes before the Court on Plaintiff's objections to the Report and Recommendation of United States Magistrate Judge Steven E. Rau, dated December 6, 2013 [Docket No. 15]. Plaintiff has objected to the Report and Recommendation, arguing that Magistrate Judge Rau, the Commissioner and the ALJ did not give proper weight to the opinions of the treating physicians, did not consider all of the Polaski factors, and misapplied the

medical vocational rules and is not based on substantial evidence in the record as a whole.

Pursuant to statute, the Court has conducted a de novo review of the record. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based on that review, the Court will adopt the Report and Recommendation, as the Court finds the Commissioner's decision to deny disability benefits is in compliance with the relevant legal requirements and is supported by substantial evidence in the record as a whole.

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment [Doc. No. 9] is **DENIED**;
2. The Commissioner's Motion for Summary Judgment [Doc. No. 13] is **GRANTED**; and
3. The case is dismissed.

LET JUDGMENT BE ENTERED ACCORDINGLY

Dated February 10, 2014.

s/ Michael J. Davis
Michael J. Davis
Chief Judge
United States District Court